

82D CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REPORT
No. 759

ELIZABETH JEAN CLARKE

JULY 26, 1951.—Committed to the Committee of the Whole House and ordered to be printed

Mr. WALTER, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 543]

The Committee on the Judiciary, to whom was referred the bill (S. 543) for the relief of Elizabeth Jean Clarke, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to provide for the admission into the United States of a minor alien child who has been adopted by Brig. Gen. and Mrs. Bruce C. Clarke, citizens of the United States. The child would be considered to be a nonquota immigrant which is the status normally enjoyed by alien minor children of United States citizens.

GENERAL INFORMATION

The pertinent facts in the case are contained in the following letter dated March 29, 1951, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General:

MARCH 29, 1951.

HON. PAT MCCARRAN,
*Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.*

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice concerning the bill (S. 543) for the relief of Elizabeth Jean Clarke, an alien.

The bill would provide that, for the purposes of the immigration and naturalization laws, Elizabeth Jean Clarke shall be considered to be the natural-born alien child of Brig. Gen. and Mrs. Bruce C. Clarke, citizens of the United States.

The files of the Immigration and Naturalization Service of this Department reflect that the alien is a native and citizen of Germany, having been born in

Munich, Germany, on March 28, 1939. She is the minor child of Miss Luise Milberg, who is also residing in Germany. Elizabeth Jean Clarke was adopted by Brig. Gen. and Mrs. Bruce Clarke, who are presently living in Munich, Germany.

a quota immigration visa for her is not readily obtainable.

Whether, under the circumstances in this case, the general provisions of the Immigration laws should be waived presents a question of legislative policy concerning which this Department prefers not to make any recommendation. If the measure should receive favorable consideration, however, it is suggested that it be amended by deleting from lines 3 and 4 the phrase "for the purposes of the immigration and naturalization laws" and inserting therein "for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended".

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 543) should be enacted.